

REMARKS

Claims 1 and 2 are all the claims pending in the application.

The specification has been amended to correct "U.S. Patent 6,260,618" in the first paragraph to --U.S. Patent 6,268,618-- and thereby obviate the objection to the disclosure in paragraph 6 on page 2 of the Office Action.

Entry of the above amendment is respectfully requested.

Initially, the Examiner is respectfully requested to acknowledge Applicants' claim to domestic priority under 35 U.S.C. § 119 and confirm receipt of the verified English translation of the provisional application. A copy of the verified English translation of provisional application no. 60/055,991 is submitted herewith.

At page 3 of the Office Action, claims 1 and 2 are rejected under the judicially created doctrine of obviousness-type double patenting as being allegedly unpatentable over claims 1-3 of U.S. Patent 6,403,987.

Without conceding in the merits of the rejection and to advance prosecution, Applicants submit herewith a terminal disclaimer to disclaim the terminal part of any patent granted on this application which would extend beyond the expiration of the full statutory term of U.S. Patent 6,403,987. In addition, Applicants submit that the filing of a terminal disclaimer to obviate a rejection based on non-statutory double patenting is not an admission of the propriety of the rejection.

In view of the above, withdrawal of the non-statutory double patenting rejection and allowance of claims 1 and 2 is respectfully requested.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/800,773

Attorney Docket No.: Q80138

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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